

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

January 20, 2011

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Councilors Tim Carpenter (W1), Mark Tiffer (W2), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: **Councilor George Rabideau (W3)**

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on January 13, 2011 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Carpenter; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending January 19, 2011 in the amount of \$ 243,704.46 are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Tiffer
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of January 13 – January 19, 2011
- Report from the Building Inspector's Office from April 21 – November 15, 2010
- Report from the Building Inspector's Office from January 14 – 18, 2011

RESOLVED: That the reports as read are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Calnon
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills approved by the Auditing Committee of the Common Council in the amount of \$ 1,524,362.15 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL: None

7. OTHER ITEMS:

A. RESOLVED: In accordance with the request therefore the Common Council approves that Adirondack Environmental Services be awarded a one-year contract extension (April 1, 2011 to March 31, 2012) for WPCP Contract #2010-01 "Laboratory Services" for the total price of \$91,400 and that the Mayor be authorized to sign to execute the necessary contract agreement for this work to commence.

By Councilor Jackson; Seconded by Councilor Case
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves that Contract #2010-17 for "Liquid Alum" be awarded to Thatcher Company of NY. The total bid was \$33,300 for alum for 74 dry tons.

By Councilor Jackson; Seconded by Councilor Carpenter
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves that Contract #2010-18 for "30% Sodium Thiosulfate" be awarded to Thatcher Company of NY for an estimated total price of \$39,521.45.

By Councilor Jackson; Seconded by Councilor Carpenter

Discussion: None
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves that Contract #2010-19 for “15% Sodium Hypochlorite – Trade solution” be awarded to Surpass Chemical Company, Inc for an estimated total price of \$68,904.

By Councilor Jackson; Seconded by Councilor Tiffer
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves the Sidewalk Maintenance resolution for NYSDOT project #7805.29 – ADA Accessibility Improvements various locations.

By Councilor Case; Seconded by Councilor Tiffer
Discussion: None
Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves Sunrise Rotary and CVPH to establish a route from the CVPH entrance on Beekman Street, turning right on to Cornelia Street traveling up to the CVPH Cornelia Street entrance for a horse and wagon ride during a Winter Carnival on Saturday, February 5, 2011 from 11 am – 4 pm. The Rotary Organization is the Insurance holder.

By Councilor Case; Seconded by Councilor Carpenter
Discussion:

Councilor Case asked if we have an insurance certificate requirement for something like this?

Mayor Kasprzak said yes.

Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)
ACTION TAKEN: Adopted
Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council authorizes the Community Development Office to enter into a contract with Camoin Associates to prepare two applications for 2011 DHCR New York Main Street Grant and 2011 CDBG Public Infrastructure Grant at a cost not to exceed \$8,000.

By Councilor Tiffer; Seconded by Councilor Jackson
Discussion:

Councilor Jackson said I looked it up someone asked him a question earlier today and the DHCR grant is for \$400,000 and that's for work on St Charles Street and the CDGB is for \$200,000 for Main Street.

Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves a Change Order to Project HOME-4-2009 at 38 Pike Street (Baker) in the total amount of \$1750.

By Councilor Tiffer; Seconded by Councilor Carpenter
Discussion:

Councilor Tiffer said what is the change.

Councilor Carpenter said what happens is an amount was awarded for that property for work to be done and in the process of doing the work they found other work that needed to be done to bring the house up to where it should be.

Councilor Jackson said the contractor has been required to by lead based paint inspector to paint all 14 deteriorated lead contaminated window frames and sills inside the home on the first and second floors so that's what its for.

Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

I. Motion to waive rule 4 for initial consideration "Request from Patricia Diman, representing the Fitzpatrick Cancer Center, to have a "Cancer B Gone" fundraiser at the City Recreation Center on March 26, 2011 using the gym and Community Room from 9am-1pm, the inside lane of US Oval for a one mile race from 8:45-9:15, and the 5k route (US. Oval/Club Rd/Hamilton St/Gordon Bike Path/Nevada/Ohio) from 9am-11am.

By Councilor Jackson; Seconded by Councilor Calnon

Discussion: None

Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves the Fitzpatrick Cancer Center to have a "Cancer B Gone" fundraiser at the City Recreation Center on March 26, 2011 using the gym and Community Room from 9am-1pm, the inside lane of US Oval for a one mile race from 8:45-9:15, and the 5k route (US. Oval/Club Rd/Hamilton St/Gordon Bike Path/Nevada/Ohio) from 9am-11am.

By Councilor Jackson; Seconded by Councilor Tiffer

Discussion:

Councilor Carpenter said is there a representative here from that or could Steve just explain a little bit about what's going on and what it is.

Recreation Superintendent Steve Peters said Patricia contacted us and wanted to do this fundraiser. They apparently have a pretty big thing going on that day for Fitzpatrick Cancer Center. So they wanted to a 5k race, they wanted to do a zumbathon in the gym, a bake sale, silent auction all that's going on in and around our facility that day. The 5k is pretty standard it's our traditional 5k route that we use all the time. It's also adding in what we're calling a race to base one mile race around the oval which is kind of cool and only about 10 minutes long. It should be over fairly quickly and its not something we ever done before so it will be kind of neat to see that happen. Later in the day Lake City skate is giving ice skating time to them and then they are doing a buffet fundraiser at Olive Ridley's in the evening with a bunch of comedians from New York City and then a band and all that. So it is kind of big deal they should be taking in quite a bit of money sounds like a pretty good fundraising event and so it's nice for the city to be part of it.

Mayor Kasprzak said I know the Chief's here from the Police Department but make sure that they all get that information and **Mike Brodi**.

Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

8. TRAVEL REQUEST: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

- 1.** Request that the Mayor be authorized to sign a Grant Disbursement Agreement with New York State Urban Development Corporation, dba Empire State Development Corporation for the Champlain Valley Transportation Museum Campus Development Project.

2. Request from Police Chief Desmond Racicot to continue the contract with Ron Santor as the Basic Academy Director for 2011 for the lump sum cost of \$15,000 which is the same as in the past and will be paid out of Asset Forfeiture Fund (Treasury).
3. Request from Police Chief Desmond Racicot to continue the contract with Ron Santor as the Police Department's Training Director for 2011 for the lump sum cost of \$20,000 which is the same as in the past and will be paid out of Asset Forfeiture Fund (Treasury).
4. Request from Police Chief Desmond Racicot to continue the contract with James Burgess as the Nuisance Animal Control Officer for 2011 for the lump sum price of \$25,000 which is the same as in the past and will be paid out of the Animal Control budget.
5. Request from Patricia Diman, representing the Fitzpatrick Cancer Center, to have a "Cancer B Gone" fundraiser at the City Recreation Center on March 26, 2011 using the gym and Community Room from 9am-1pm, the inside lane of US Oval for a one mile race from 8:45-9:15, and the 5k route (US. Oval/Club Rd/Hamilton St/Gordon Bike Path/Nevada/Ohio) from 9am-11am. **(Move to agenda under "Other Items" Letter I)**
6. Request from Bill Treacy, Manager MLD to write-off unpaid final bills from November 1, 2009 to November 30, 2009 in the total amount of \$1,985.96. The percentage of write-offs for this period is .18%.
7. On the report and recommendation of the Lake City Local Development Corporation's Loan Review Committee dated January 18, 2011 requesting the Common Council authorizes a loan from the Economic Development Revolving Loan Fund to Julie LaPier in the amount and on the terms set forth in said report and recommendation.
8. Request from Police Chief Desmond Racicot for a police officer to attend the "eJustice NY Integrated Justice Portal Train the Trainer Training" in Albany, NY from February 1 – 2, 2011 at an estimated cost not to exceed \$165.00 and will be paid out of the Asset Forfeiture Fund (Treasury).
9. Request from Police Chief Desmond Racicot for two police officers to attend the "2011 National Conference on Bullying/Safe Schools" in Orlando, FL from February 13 – 17, 2011 at an estimated cost not to exceed \$2,035.53 and will be paid out of the Asset Forfeiture Fund (Treasury).

Councilor Calnon said Desi the initial for the Bullying/Safe schools we have two officers going to that and since we normally have one officer in the school what is the reason for two.

Police Chief Desmond Racicot this is a little bit different it is due to the active shooter program this is about identifying active shooters. So one officer is part of a tactical team that will help go around a do presentations and one will be the officer actually involved at the schools.

10. NEW BUSINESS:

Councilor Carpenter said he was just signing his PO's and one of them is for the fire department for \$42,864 for turn out gear and it happens to come from a grant and I was hoping that maybe Chief Paul could explain a little bit about that for us.

Fire Chief Paul Williams said we received a grant last year, late in the year, assist the firefighters grant in the amount of \$72,000 I think and our share of it was 5%. With the grant we bought 35 sets of turn out gear, we bought a turn out gear extractor, which is a big version of a washing machine, we bought a turn out gear dryer and we bought all new turn out racks for both stations. So that's how we spent the \$72,000.

Mayor Kasprzak said the **Chief** and I talked about that when this information came down and he worked hard to acquire the appropriate grant funding, it was a good thing for the department and a good question and let people know those are good things that happen.

Councilor Jackson said thanks **Chief** for going after the grant.

11. CLOSING PUBLIC COMMENTS:

Stephanie Desautels 144 Quaker Highlands Road, Peru said I purchased property on Louisiana Avenue on the base in the City of Plattsburgh in July of 2005. I was contacted last winter and again today and I was told that Justin Meyer was going to be coming to you and so I don't know if he did.

Mayor Kasprzak said yes he did.

Stephanie Desautels 144 Quaker Highlands Road, Peru said Kathleen Insley was my attorney at the time for closing and upon closing she performed all the necessary abstract and title searches. I purchased the property from Westshore properties and at closing I had an additional charge of \$958.50 and it said on the closing that it was for omitted taxes for 2005 which was subsequently added to my closing costs for the 2006 city tax bill. I received an email from Justin Meyer last winter telling me to give him a call which we went to high school together but other than that I had no idea what it was for. When I called him he informed me that I owed \$6,100 in unpaid taxes on the properties plus interest and it was all from before when I even owned the property. Since I've owned the property I have had my taxes escrowed thru my mortgage company and they have always been paid on time. On top of that I am being charged over \$3400 in the interest on that amount. The fact that I owed \$6100 was confusing and I was told to contact Richard Marks. I called him and we spoke for awhile and he explained to me that the previous tax assessor had not placed these properties on the tax roll and that they are now trying to collect taxes on them. My property was one of them based on 11.6 acres for a total of \$21,305. My contention is that I should not have to pay the taxes based on the following: these properties were never on the tax roll for the period of time I'm being charged taxes for and I didn't even own the property at the time that I'm being billed for and I understand it follows title. But I wasn't even notified of it until last year so on top of that the taxes that have accrued since then. This error to not place these properties on the tax roll was not mine and I'm being billed for these taxes on property that I did not own at the time. Furthermore, I was not notified until last winter and was told to have a response back by February 4th of 2010. We met that deadline and I haven't heard anything until today in which I was told that I

have to either settle or pay the amount or go to trial next week and I'm being charged interest from that February 4th, 2010 until to today as well. At this point, in fear of losing my properties out right, I've reluctantly agreed to settle and pay the \$6,100, but, I do not feel that I should have to pay interest on top of that. So, though I seek your understanding in this matter and ask for review of this process before I and others, which there are others I know have settled, but they are unnecessarily forced to pay errant tax bills and or lose property. Thank You.

Mayor Kasprzak said Mr. Meyer will be contacting you tomorrow or Monday at the latest.

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Carpenter, Tiffer, Calnon, Case, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 5:54 pm